

### *Congressman Reiterates Call for Study*

*Middletown, NY* -- Congressman Maurice Hinchey (D-NY) today called on the Delaware River Basin Commission (DRBC) to suspend the adoption of Natural Gas Development Regulations for the Delaware River Basin until a comprehensive and cumulative environmental impact statement has been completed. In a letter to the Commission members, Hinchey reiterated his call for a suspension of the rulemaking process, noting that water resources for 15 million people will be put at risk if the DRBC allows fracking to commence in the basin without first studying what effect the industrial activity would have on water resources.

"While the DRBC notes that it is working to promote sound practices of watershed management, it has thus far failed to study or measure the substantial impacts we can expect from large scale deforestation and other activities that will accompany natural gas development," Hinchey wrote to the DRBC. "Without such studies, there is no guarantee that the DRBC's regulations are sufficient to protect the Basin. Further, such studies might lead the Commission to a conclusion that this major industrial activity may be wholly incompatible with protecting water quality, particularly in the sensitive headwaters of the Delaware River."

Hinchey, a co-chair of the Congressional Delaware River Task Force, has continually pressed the DRBC to conduct a comprehensive environmental review prior to issuing new regulations governing water withdrawals from the basin for hydraulic fracturing. Earlier this year, he strongly supported New York State Attorney General Eric Schneiderman's lawsuit to compel the Delaware River Basin Commission to conduct a cumulative environmental impact study of shale gas drilling in the Delaware River Watershed.

Hinchey is a leader in the effort to protect drinking water and the environment from the risks of hydraulic fracturing. He is a co-author of the FRAC Act, which would mandate public disclosure of chemicals used in frack fluid and allow the U.S. Environmental Protection Agency (EPA) to regulate fracking activities under the Safe Drinking Water Act. The congressman also authored the appropriations language that led to the current EPA study on hydraulic fracturing.

The full text of Hinchey's   
[letter](#) to the DRBC follows:

November 9, 2011

Delaware River Basin Commission  
PO Box 7360  
West Trenton, NJ 08628

Dear Commission Members:

I am writing to reiterate and convey my strong opposition to the DRBC's adoption of Natural Gas Development Regulations for the Delaware River Basin, which I understand will be considered at the Commission's meeting on November 21, 2011. I urge the Commission to suspend approval of regulations until a comprehensive and cumulative environmental impact statement has been completed to ensure the protection of the Delaware River Basin's outstanding water resources. The promulgation of final regulations that allow any natural gas development without completion of necessary studies is contrary to public interest and certain to face additional legal challenges.

As someone who has held the DRBC in high regard for its work over the past decades to protect the nationally-significant water resources of the Delaware River Basin, I am deeply concerned that the Commission may now take action that will lead to the degradation of water resources on which more than 15 million Americans depend. Further, I believe the adoption of regulations that have not been informed by the necessary environmental reviews and science threatens to undermine the Commission's credibility and effectiveness as the protector of one of this nation's critical waterways. With the U.S. Environmental Protection Agency currently studying the impact of hydraulic fracturing on water resources, it is somewhat perplexing how an agency charged with protecting water resources seems poised to allow natural gas development without having done its own study or waiting for the results of this critical analysis.

While the amended draft regulations have been developed and revised to lower certain risks of natural gas drilling, the fact remains that the Commission cannot effectively protect the Delaware River Basin without scrutinizing the cumulative impact of hundreds or thousands of new wells in the Basin. While the DRBC notes that it is working to promote sound practices of watershed management, it has failed thus far to study or measure the substantial impacts we can expect from large scale deforestation and other activities that will accompany natural gas development. Without such studies, there is no guarantee that the DRBC's regulations are sufficient to protect the Basin. Further, such studies might lead the Commission to a conclusion

that this major industrial activity may be wholly incompatible with protecting water quality, particularly in the sensitive headwaters of the Delaware River.

I therefore stand with the tens of thousands of Basin residents who have spoken out against the approval of these regulations without cumulative impact studies, and I urge you to suspend further action until such studies are done. Like so many of my constituents, I fear that the decision you are preparing to make in a few weeks could adversely impact many generations to come and irreparably damage the Basin's invaluable water resources.

Sincerely,

Maurice D. Hinchey